

# Doing Business with the Council

## August 2020

[www.enfield.gov.uk](http://www.enfield.gov.uk)

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## Introduction

Procurement Services provides support to services across the Council for over the EU threshold procurement, and advice and guidance. Procurement Services is the centre of procurement expertise for Enfield and working with services to offer the best use of resources and deliver value for money to the Council. This guide is designed to make it easier for business to work with us.

***We are committed to improving access to business opportunities for businesses.***

## Procurement Legislation

Contracts are tendered according to financial and contractual procedures enshrined in our Constitution. These processes are derived from the EU and UK Laws on procurement, which exist to ensure fairness and transparency in Public Sector contracting.

There are special European rules for Public contracts above certain thresholds (see section 3), which aim to make sure that contracts are awarded in an open, transparent and non-discriminatory way. The European Directives are implemented in this Country by a number of regulations, which set down the procedures that Local Authorities must follow when selecting tenderers and awarding contracts.

## How We Buy

The procurement process adopted is initially determined on the total anticipated value of the contract the Council(s) is going to be let:

- Up to £25,000 = at least one quote must be sought
- £25,000 - £100,000 (£500,000 for Works) = at least three quotes must be sought

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- £100,000 (£500,000 for Works) to EU threshold of at least five quotes must be sought
  - For contracts above the EU threshold the procurement will be carried out in line with the OJEU procurement process.

**For all quotations, Council Officers are required to obtain at least one from a local provider where practicable.**

All quotations and tenders are conducted via the Councils' eTendering system 'London Tenders Portal' which can be accessed via [www.londontenders.org](http://www.londontenders.org)

## The Tendering Process

Generally, there are five key stages to the traditional tendering process, though not all processes will follow each of these stages every time.

For more complex Contracts the Council will aim to hold a Market Engagement event so that potential providers can better understand the opportunity as well as the procurement approach to be followed.

### 1. ADVERTISING / SELECTION QUESTIONNAIRE

**Please note that a Selection Questionnaire will only ever be used for above EU threshold tenders (see section 3).**

The advert will give details of the contract being tendered.

Providers may be asked at this stage to complete a Selection Questionnaire (SQ) to express an interest in the opportunity and to confirm information about their company, such as:

- Financial statements / company trading accounts
- Customer / trade references
- Health and safety policies
- Equality policies and practices
- Public liability and employers' liability insurance cover
- Quality / training and environmental systems.

The Council will use the selection qualifying information provided to draw up a short-list of the organisations to invite to tender. This will be done using pre-agreed and advertised criteria.

Construction line is often used for below EU threshold Works tenders.

### 2. INVITATION TO TENDER

If a provider's expression of interest is successful in being short-listed they will then be issued an Invitation to Tender (ITT) to complete.

**This information will have already been made available at advertisement stage for above EU threshold (see section 3) contract opportunities.**

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This normally comprises of the following sections:

- Instructions to Tenderers; this tells you how to complete your response.
- Form of Tender; confirms you are offering to supply the Council goods / services/ works in accordance with our tender documentation.
- Certificate that the Tender is Bona Fide; confirms you are submitting a genuine competitive tender and have not colluded with anyone.
- Specification; a detailed description of what the Council wishes to procure.
- Evaluation Criteria; details of how a submission will be assessed in its entirety.
- Contract Conditions; the terms of the contract.

It is important that you comply with the instructions as failure to do so may invalidate your response.

### **3. PREPARING YOUR RESPONSE**

When you receive your documents make sure you:

- Read the documentation carefully and that you understand what is required.
- Take the opportunity to raise queries as soon as possible and well before the permitted date.

When you answer the questions:

- Read the questions carefully and answer them accurately and precisely.
- Where relevant, cross-reference the answers or responses in your tender to the questions in the Invitation to Tender. This will make it easier to evaluate.
- Be clear on your pricing model and state any assumptions you have made when pricing (for example, resources required by you and / or the Council, timetables, etc.)
- Always use the pre-formatted response documents provided, rather than your own, as it helps us in our evaluation.
- Ensure that you supply all attachments / enclosures / supporting information requested in order to enable your bid to be properly evaluated.
- Do not include publicity material in your submission unless you have been specifically asked to.
- If you cannot provide some of the information, for whatever reason, please ask for advice. If your answer to any question is no or none, please state no or none rather than leaving the space blank.
- Do not assume that the Council knows your business; the evaluation panel cannot use any pre-existing knowledge of you to evaluate your bid.
- Do not leave your submission to the last minute, as a late reply may not be included. If you experience technical issues with uploading your tender contact the Council immediately.

When you are ready to submit your tender response proof read your tender submission, ensuring that there are no mistakes or missing information.

### **4. EVALUATION OF TENDERS AND CLARIFICATION**

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The Council will then evaluate your tender response in accordance with pre-agreed criteria. These criteria will be the same as originally advertised and stated within the tender documentation. It may be necessary for the Council to seek clarification of your answers and a Procurement Officer will contact you via the e-Tendering portal ([www.londontenders.org](http://www.londontenders.org)) once if this is the case.

## **5. CONTRACT AWARD**

Tender award details will be published via the Councils' e-Tendering portal ([www.londontenders.org](http://www.londontenders.org)) once the contract has been awarded, and also in Official Journal of the European Union (OJEU) for above threshold value contracts (see section 3).

If you are unsuccessful and wish to seek feedback, you should contact the named Officer detailed in the tender documentation. This Officer will be able to explain why your tender was unsuccessful and possibly provide some indicators as to how you might improve your chance of success in future.

## **6. CONTRACT IMPLEMENTATION AND MANAGEMENT**

Now the hard work begins. You will be expected to meet the service levels agreed in the contract and your progress will be monitored by a Contract Manager. You will need to comply with the council policies (whichever apply to your business).

There may be Social Value elements attached to your contract and these too will be monitored. In all cases we need to ensure that suppliers adhere to the Equality Act and the Social Value Act.

# **Useful Links**

The link to the Councils' e tendering system is:

[www.londontenders.org](http://www.londontenders.org)

Register on here (it is free) to ensure that you receive alerts on contract opportunities in Enfield and the wider Public Sector.